

# **Exhibit 5**

**From:** [Steven R. Pounian](#)  
**To:** [Shen, Andrew C.](#)  
**Cc:** [Maloney, III, Andrew](#); [Carter, Sean](#); [zRobert Haefele](#); [Kellogg, Michael K.](#); [Rapawy, Gregory G.](#); [Goldman, Jerry](#); [Megan Benett](#); [John Fawcett](#)  
**Subject:** Re: 9/11 litigation - third party productions  
**Date:** Tuesday, June 4, 2019 2:10:06 PM

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Andy,

To follow up on my prior message, the Mosque's counsel Mike Watts just emailed me as follows:

“I apologize for any confusion, but please do not release any of those documents. We will be in touch if we receive authorization for your office to release them.”

Steve

On Jun 4, 2019, at 2:05 PM, Steven R. Pounian > wrote:

Dear Andy,

We were told yesterday by Mosque counsel Mike Watts to “hold off” on sending a copy of the documents to you pending their discussions. I just emailed Mike again, informing him of your message today and his client’s need to make an immediate decision. We will let you know as soon as we hear back from them.

Regards,

Steve

On Jun 4, 2019, at 1:23 PM, Shen, Andrew C. > wrote:

Steve –

Please confirm that this production is forthcoming. If we need to meet and confer about this, please let me know your availability this afternoon.

Regards,

Andy

From: Steven R. Pounian [mailto:[Spounian@kreindler.com](mailto:Spounian@kreindler.com)]  
Sent: Monday, June 03, 2019 3:17 PM  
To: Shen, Andrew C. >  
Cc: Maloney, III, Andrew >; Carter, Sean >; zRobert Haefele >; Kellogg, Michael K. >; Rapawy, Gregory G. >; Goldman, Jerry >; Megan Benett >; John Fawcett >  
Subject: Re: 9/11 litigation - third party productions

Andy,

Please note that these documents were produced by the Mosque under an agreement that we reached with them, and not pursuant to our subpoena.

As I said previously, we assumed that the Kingdom already received a copy of the same documents. We have no problem giving you a copy now, as long as there is no objection from the Mosque. A separate email will follow.

We expect that the Kingdom will reciprocate and also produce documents that it has received from third parties.

Regards,

Steve

On Jun 3, 2019, at 2:29 PM, Shen, Andrew C. >> wrote:

Steve:

We have requested the additional productions from the Mosque referenced below, but have not received them. Given the two Mosque depositions on June 12 and 14, we ask that Plaintiffs produce those documents to us immediately. Please also inform us as to when Plaintiffs' received the additional productions. If you are unwilling to do so, please provide your availability this afternoon or tomorrow to meet and confer about this issue.

Regards,

Andy

Andrew C. Shen  
Kellogg, Hansen, Todd, Figel & Frederick P.L.L.C.  
1615 M Street, N.W.  
Suite 400  
Washington, D.C. 20036  
Direct: (202) 326-7963  
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From: Steven R. Pounian [mailto:[Spounian@kreindler.com](mailto:Spounian@kreindler.com)]

Sent: Wednesday, May 15, 2019 2:33 PM  
To: Shen, Andrew C. >>  
Cc: Maloney, III, Andrew >>; Carter, Sean >>; zRobert Haefele >>; Kellogg, Michael K. >>; Rapawy, Gregory G. >>; Goldman, Jerry >>; Megan Benett >>; John Fawcett >>  
Subject: Re: 9/11 litigation - third party productions

Dear Andy,

We thought the Mosque's attorney Mike Watts had already sent copies of these documents to you. That had been been the Mosque's prior practice regarding its production.

Particularly in this instance - where most of the documents were produced by the Mosque for review purposes only - we would prefer that you ask Mike Watts for a copy.

In other circumstances, the PECs have routinely and promptly produced third party documents to you. For example, the Omar Khattab Mosque's response and production were sent to you on April 22, 2018, shortly after their receipt on April 17 (while Sean was away on vacation).

Finally, Jerry will be sending you a letter shortly regarding the Bank of America production.

Regards,

Steve

On May 15, 2019, at 11:08 AM, Shen, Andrew C. >>> wrote:

Steve, Sean, Robert & Duke:

Following up on this request. Please let us know when we will receive these documents and information.

Regards,

Andy

Andrew C. Shen  
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From: Shen, Andrew C.  
Sent: Friday, May 10, 2019 4:17 PM  
To: 'Steven R. Pounian' >>>; Maloney, III, Andrew >>>; 'Carter, Sean' >>>; zRobert Haefele >>>  
Cc: Kellogg, Michael K. >>>; Rapawy, Gregory G. >>>  
Subject: 9/11 litigation - third party productions

Steve, Sean, Robert & Duke:

We understand that the King Fahad mosque has produced additional documents to the PEC in response to its subpoena. Can you please provide defendants with copies of these documents as well as the dates that you received them? The last bates stamp from the King Fahad Mosque production we have is KFM0122. In addition, to the extent that Plaintiffs have received additional documents responsive to its third-party subpoenas, please provide us with copies of those documents and the dates you received them as well.

Regards,

Andy

Andrew C. Shen  
Kellogg, Hansen, Todd, Figel & Frederick P.L.L.C.  
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